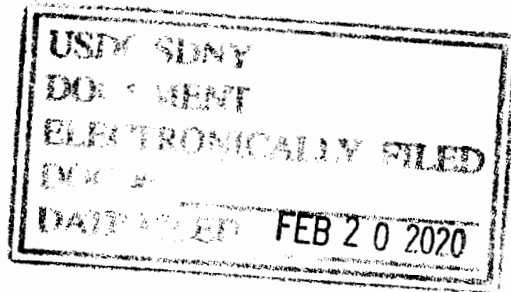




CARDI &amp; EDGAR



Partners  
Dawn M. Cardi  
Chad L. Edgar

Associates  
Jessica Friedrich  
Joanna C. Kahan

Of counsel  
Diane Ferrone

February 19, 2020

Via ECF

Hon. George B. Daniels  
United States District Court Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

FEB 20 2020

SO ORDERED

A bail hearing is scheduled for  
February 26, 2020 at 10:45 a.m.

*George B. Daniels*  
HON. GEORGE B. DANIELS

Re: United States v. Markell Bobian, et al., 3:20-cr-57-10 (GBD)

Your Honor:

I am CJA counsel to Markell Bobian. I write to respectfully request a bail hearing for Mr. Bobian. The government has previously indicated that it opposes bail.

Mr. Bobian is charged in five counts of a 24 count RICO Indictment: (1) one count of racketeering conspiracy pursuant to 18 U.S.C. Section 1962(d) (Count One); (2) one count of assault with a dangerous weapon in aid of racketeering pursuant to 18 U.S.C. Section 1959(a)(3) (Count 18); (3) one count of use of a firearm in furtherance of Count 18 pursuant to 18 U.S.C. Section 924(c)(1)(A)(i) (Count 19); (4) one count of narcotics conspiracy pursuant to 21 U.S.C. Section 846 (Count 20); and (5) one count of use of a firearm in furtherance of Count 20 pursuant to 18 U.S.C. Section 924(c)(1)(A)(i) (Count 21).

Mr. Bobian is not named in any of the murder, attempted murder or robbery counts in the indictment.

We propose the following bail conditions, which we respectfully submit will reasonably assure the safety of any other person and the community and ensure Mr. Bobian's appearance at court:

\$100,000 personal recognizance bond, co-signed by four (4) financially responsible persons; home detention and GPS monitoring; travel limited to the SDNY and EDNY; surrender of travel documents and no new applications; strict pretrial supervision; drug testing and treatment as directed by pretrial services.

Notably, Pre-Trial Services recommended release with similar conditions, and a bond cosigned by only two financially responsible persons.



Partners  
Dawn M. Cardi  
Chad L. Edgar

Associates  
Jessica Friedrich  
Joanna C. Kahan

Of counsel  
Diane Ferrone

Mr. Bobian is an American citizen and 22-years-old New York native. At the time of his arrest, he lived at home in the Bronx with his parents. If released on bail, he would reside with his parents in the Bronx. At the time of his arrest, Mr. Bobian was employed at The Dollar Tree. He has been working there approximately the last 6 months. Prior to that, he worked at JC Penny for approximately 2.5 years.

Beginning in 2016, Mr. Bobian attended one and a half years of college at SUNY Morrisville. Thereafter, he attended trade school at Co-op Tech where he earned his OSHA 30 certification. He also attended Bronx Community College where he earned a plumbing certificate after 125 hours of hands-on training.

Notably, Mr. Bobian does not have any criminal history.

Mr. Bobian has significant support in the community, including family members who are willing to sign a \$100,000 bond. All four proposed co-signers are likely to qualify as financially responsible persons: (1) Teisha Savage, Mr. Bobian's mother, employed for the last five years as an executive assistant at American Express; (2) Gregory Bobian, Mr. Bobian's father, employed for the last six years as a carpenter at Albert Einstein College of Medicine; (3) Shameika Henderson, Mr. Bobian's aunt employed for the last fifteen years as a supervisor and staffing coordinator at AHRC, a home healthcare agency; and (4) Dennis Pooler, Mr. Bobian's cousin who for the last four years has been employed at the Democracy Prep Charter High School in Manhattan.

We respectfully submit that the support and expectations of Mr. Bobian's family, coupled with home detention, GPS monitoring, and strict pretrial supervision, are sufficient to diffuse any risk of flight and, more importantly, will ensure that he follows the law.

While we recognize that this is a presumption case, we believe that the facts and circumstances warrant the granting of bail and overcome the presumption. The defense will be prepared to supplement this application orally at a bail hearing and address any questions the Court may have.

If convenient for the Court, I am available Friday February 21 1pm and on; Monday February 24 noon and on; or before or after the initial conference the Court set for Wednesday February 26 at 10:45am.

Thank you.

Respectfully submitted,

/s/

Dawn M. Cardi

CC: AUSA Michel Longyear (via ECF and E-mail)  
AUSA Jacob Warren (via ECF and E-mail)  
AUSA Adam Hobson (via ECF and E-mail)